IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 4232 of 2005

Between:

B. Sivabrahmam, S/o. Late B. Subba Rao,
A.P. State Ware Housing Corporation,

Tenali, Guntur District.

..... PETITIONER

AND

1 Government of Andhra Pradesh, represented by its Secretary,
Food & Agriculture (Marketing) Department, Secretariat, Hyderabad.
2 A.P. State Ware Housing Corporation, Represented by its Managing

Director, II Floor, Ware Housing Sadan, Near Gandhi Bhavan,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate writ, order or direction more particularly one in the nature of mandamus declaring the action of the Respondents in not regularizing the services of the petitioner while regularizing the juniors to the petitioner as per G.O.Ms.No. 117, dated 19-2-1990 as illegal, arbitrary and discriminatory and consequently direct the respondents to regularize the services of the petitioner as Guard-cum-peon with effect from the date of regularization of his Junior with all consequential benefits and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.K.RAMA SUBBA RAO

Counsel for the Respondent Nos.1 and 2: GP FOR AGRICULTURE

The Court at the stage of admission made the following:

ORDER:

Declaring the action of the respondents in not regularizing the services of the petitioner, while regularizing the juniors to the petitioner, as per G.O.Ms.No.117, dated 19.02.1990, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Agriculture.

Whether the petitioner is entitled for regularization or not in terms of G.O.Ms.No.117, dated 19.02.1990, it is for the respondents to decide the same in accordance with the terms and conditions.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the case of the petitioner for regularization of his services in terms of G.O.Ms.No.117, dated 19.02.1990, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 07.03.2005

Dsr

ASSISTANT REGISTRAR

Note:

Issue CC in three days

B/o

Dsr

To:

1. The Secretary,

Food & Agriculture (Marketing) Department,

Government of Andhra Pradesh,

Secretariat, Hyderabad

2. The Managing Director,

A.P.State Ware Housing Corporation,

II Floor, Ware Housing Sadan,

Near Gandhi Bhavan, Hyderabad

3. Two CCs to the Government Pleader

for Agriculture, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies

5) 1 CC to MR.RAMA SUBBA RAO

*Form-NIC-OGS/WP{**RLD**}*